

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

		Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)
Applicant's or agent's file reference see form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/GB2005/001043	International filing date (day/month/year) 17.03.2005	Priority date (day/month/year) 25.03.2004
International Patent Classification (IPC) or both national classification and IPC C11D3/00, C11D17/04, C11D3/39		
Applicant RECKITT BENCKISER (UK) LIMITED		
<p>1. This opinion contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the opinion <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application <p>2. FURTHER ACTION</p> <p>If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.</p> <p>If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.</p> <p>For further options, see Form PCT/ISA/220.</p> <p>3. For further details, see notes to Form PCT/ISA/220.</p>		

Name and mailing address of the ISA:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Hillebrecht, D Telephone No. +49 89 2399-8168
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Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes:	Claims	19
	No:	Claims	1-18,20-23
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-23
Industrial applicability (IA)	Yes:	Claims	1-23
	No:	Claims	

2. Citations and explanations

see separate sheet

Reference is made to the following documents:

- D1: US-A-3 966 090 (PRUSSIN ET AL) 29 June 1976
D2: US-A-3 632 516 (JOSEPH A. ANTONELLI ET AL) 4 January 1972
D3: FR-A-1 482 032 (THE GILLETTE COMPANY) 26 May 1967
D4: EP-A-0 411 220 (COLGATE-PALMOLIVE COMPANY) 6 February 1991
D5: US-A-3 722 752 (KENKARE D,US ET AL) 27 March 1973

- V. The subject-matter of claims 1 and 23 lacks novelty and/or an inventive step, in contrast to Article 33(1) to (3) PCT.
1. Claim 1 defines a product (kit) of two compositions, which are separately packed, one of the compositions comprises a catalyst for a reaction between a first component of the first composition and a second component of the second composition, said first and second components react upon combination of the compositions, thereby leading to an increase of the temperature.

In preferred embodiments the product is a cleaning composition and the first composition comprises an oxidising agent (e.g. H₂O₂) and the second composition comprises a reducing agent (e.g. thiosulfate).

Respective cleaning compositions are already known from D1 to D5, see respective parts of these documents mentioned in the International Search Report. All of these documents disclose multi-compartment dispensers comprising in a first compartment an oxidant and in a second compartment a reducing agent. Although these documents are primarily to pressurised packages comprising shaving creams, they are not limited to such special formulations. Moreover, the present claims do not exclude pressurised formulations and shaving creams or the antiseptic compositions of D1 are nevertheless considered to be cleaning compositions (although this is only a feature of a dependent claim). The subject-matter of claim 23 is at least implicitly disclosed in said documents, since the temperature of the composition raises upon release, the mousse is applied to the skin (surface) and is allowed to remain in contact with the skin before it is removed.

2. According to page 1 of the application, the problem to be solved is to provide cleaning compositions, which are self heating when applied to the surface to be cleaned such that the cleaning efficacy is improved and the feeling to the user is more pleasant.

These objects have already been addressed by D3 to D5. Thus, even when novelty of the claims would be established, the general inventive concept of self-heating compositions is already known. It is also known - but also trivial - that warm compositions are more pleasant to the skin and more effective in term of dexterity.

3. The subject-matter of the dependent claims is either already known from D1 to D5 or does not contribute to the solution of the posed problems in a surprising manner. Even the examples of the present specification fail to prove an unexpected advantage of the present compositions.